

## Ben Summers

Call: 1994



Ben Summers has a practice in business crime, professional discipline, public inquiries and inquests, and regulatory matters, with specialist experience in data protection issues.

Ben was called to the Bar in 1994 and following a civil pupillage, he joined QEB Hollis Whiteman where he was in independent practice for eight years. He then joined leading white collar solicitors firm Peters & Peters in March 2003 and transferred to become a solicitor in November 2004; he was appointed as a partner in November 2007. In May 2009 Ben resumed independent practice at the Bar and joined Three Raymond Buildings.

In 2019 Ben was named by the Legal 500 as the 'Crime Junior of the Year'. Between April 2020 and August 2021 Ben worked at Hogan Lovells LLP where he practised in the firm's Litigation and Arbitration group; his experience working closely with his instructing solicitors means that he can provide a first class service to both his professional and lay clients.

## Serious Crime

Ben acts in a wide variety of cases involving allegations of serious criminal offending, including murder and serious violence, rape and other serious sexual offences, firearms and drugs offences. He combines the attention to detail and thorough preparation for which he is known in other areas of his practice, with excellent advocacy (with both juries and judges), and a first-rate service to his lay and professional clients.

## Notable Serious Crime cases

- **R v VD (Maidstone Crown Court 2022)**

Acting for a young man charged with murder and conspiracy to rob; the case arises from a raid by a group of men on a cannabis growing 'factory' during which a man was killed.

- **R v FL (Birmingham Crown Court 2022)**

Acted for a young man charged with a double attempted murder (by shooting), conspiracy to rob cash in transit deliveries and associated firearms offences.

- **R v VL (Snaresbrook Crown Court 2022)**

Acting for a man charged with an indecency offence with a child. The case has evidential and presentational difficulties because the defendant has already been convicted of a similar offence in relation to another child from the same family. This is a section 28 case.

- **R v NH (Ipswich Crown Court 2022)**

Acting for a vulnerable young man charged with the kidnap of another vulnerable individual and associated offences. The case is subject of the section 28 procedures.

- **R v FN (Chelmsford Crown Court 2022)**

Acted for a man charged with section 18 GBH and kidnap. The victim was severely beaten and described by the prosecution as having been 'dumped and left for dead' in a roadside lay-by.

- **R v SZ (Isleworth Crown Court 2021)**

Acting for a man charged with a double stabbing of two other males who he invited back to his house; the defence involved issues of involuntary intoxication and date rape.

- **R v YE (Portsmouth Crown Court 2021)**

Acted for a man charged in a conspiracy to cause GBH, arising from an alleged dispute between criminal groups involved in the theft of monies from gambling machines. Successfully argued that the case should be stopped as an abuse of process following disclosure failings.

- **R v NK (Snaresbrook Crown Court 2020)**

Acted for a young man charged with the rape of a girl at a party.

## Business Crime

Advice and representation in a wide range of fraud and anti-trust/cartel investigations and prosecutions brought by a range of bodies including the SFO, OFT/DOJ & SEC/EU, SOCA, DBIS, CPS and HMRC. Also experienced in cross-jurisdictional investigations and mutual assistance requests made by, and of, the UK.

## Notable Business Crime cases

- **R v JM**

Leading for the first defendant in three month trial into an allegation that a team of cardiothoracic clinicians defrauded the NHS during their employment at Basildon & Thurrock University Foundation Trust Hospital over a four year period.

- **Torex Retail Plc**

Acting for the group finance director in a three month SFO prosecution in Oxford arising from the collapse of the Torex group of companies in 2007. The trial focussed on detailed group accounting issues and treatment of revenues.

- **Vantis Tax Ltd**

Acted for a company director in the HMRC prosecution of tax planning scheme operated by VTL.

## Financial Services

Advice to corporate and individual clients subject to FCA enforcement activity and in relation to non-contentious FSMA issues including advice on RTC and RDC decisions. Ben has provided advice to, and worked with, the FCA in relation to criminal matters and proceedings before the RDC relating to allegations of insider dealing and market abuse, and matters arising from its investigation of allegations of LIBOR manipulation.

## Notable Financial Services cases

- **R v X & Y**

Advising the FCA during the latter stages of the investigation, and subsequent prosecution of, individuals alleged to have engaged in insider dealing.

- **R v MN & Others**

Acting for the defence in the FCA prosecution of a 'boiler room' land banking fraud.

- **R v RF & Others**

Acting for the first defendant in a prosecution of a wine investment fraud.

- **LIBOR**

Worked at the FCA preparing submissions to the RDC in relation to allegations of LIBOR fixing.

# Bribery & Corruption

Ben has acted for national and multi-national corporates and individuals in anti-bribery investigations and enforcement proceedings. He also gives advice on compliance policy and implementation in order to comply with UK, USA and supra-national (OECD & UN) obligations.

## Notable Bribery & Corruption cases

- **R v Bertling Freight Handling Ltd**

Acting for the first defendant in the SFO prosecution of the company and its senior officers for conspiracy to corrupt a representative of the Angolan government in the oil sector.

- **R v E**

Acted for a local council leader charged with misconduct in a public office and fraud.

- **R v Innospec**

Acted for a senior director investigated and subsequently charged in the SFO investigation into corruption in the oil industry.

- **R v BAE Systems**

Acted for a senior director within BAE who was under investigation by the SFO.

# Data Protection

Ben provides advice on the drafting of policy, ongoing implementation and training to businesses concerned to comply with their GDPR and DPA 2018 obligations. He has also acted for individuals and corporates in Information Commissioner's Office investigations including matters involving high profile losses of data by public bodies and where data protection issues arise in the context of criminal or regulatory investigations and proceedings. He regularly acts for the ICO and has acted in some of the most significant cases of the last 20 years including the Cambridge Analytica investigation, the first prosecution for conspiracy to commit offences under the DPA 1998, the first prosecution of enforced subject access and in the Public Inquiry into Undercover Policing. Ben has also advised government departments and public bodies on Freedom of Information Act 2000 matters.

## Notable Data Protection cases

- **Labour Party**

Acting for individuals concerned in the investigation into the leak of the Labour Party's internal report into allegations of antisemitism within the Party.

- **Cambridge Analytica**

Acting for the ICO in its investigation of Cambridge Analytica and SCL Elections Ltd.

- **Op Millipede/Op Spruce**

Advising various parties on legal issues arising from the NCA and ICO investigations.

- **Public Inquiry into Undercover Policing**

Advising, and appearing on behalf of, the ICO on issues relating to the gathering, handling and disclosure of sensitive personal data in the context of the public inquiry.

## Inquests & Public Inquiries

Ben has a wealth of experience acting for a range of core participants and witnesses before public inquiries, and for interested parties in Article 2 and non-Article 2 inquests.

### Notable Inquests & Public Inquiries cases

- **Undercover Policing Inquiry**

Acting for the Information Commissioner's Office in relation to the handling of personal data during the conduct of the inquiry.

- **Re J**

Acting for officers in the inquest into the death of a young man on a moped following a police pursuit, and in associated judicial review proceedings.

- **Re R**

Acting on behalf of the MPS in an inquest into the death of a man under the care of mental health services in central London.

- **Re B**

Acted for a care home provider in the inquest into the death of elderly resident.

- **Baha Mousa Public Inquiry**

Acted for the Commanding Officer of the Battalion which detained Baha Mousa.

## Notable Cases

## Serious Crime

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## Directory Recommendations

"... a master tactician and a class act in complex cases. His attention to detail is impeccable, his written submissions are outstanding and he has a commanding presence before any tribunal." **Legal 500 2024: Fraud – Crime**

"Ben Summers is a great individual and a charismatic advocate." **Chambers UK 2024: Financial Crime – Corporates**

"Ben is very bright and makes reasonable submissions no matter the difficulty of the case." **Chambers UK 2024:**



## **Financial Crime – Corporates**

“He is exceptionally good with vulnerable clients.” **UK 2024: Financial Crime – Corporates**

“Ben benefits from having been a solicitor and has a very empathetic client approach.” **UK 2024: Financial Crime – Corporates**

“... very cerebral. He’s diligent, knowledgeable and a hard-working counsel.” **Chambers UK 2024: Professional Discipline**

“Very good at getting straight to the point.” **Chambers UK 2024: Professional Discipline**

“... a strong profile in the financial crime space.” **Chambers UK 2023: Financial Crime – Corporates**

“... very prepared and persuasive.” **Chambers UK 2023: Financial Crime – Corporates**

“... is very clever and utterly charming. He has a really lovely manner that panels really warm to.” **Chambers UK 2023: Professional Discipline**

“He is a bright and very confident advocate.” **Chambers UK 2023: Professional Discipline**

“He has brilliant judgement and is a great advocate.” **Chambers UK 2022: Financial Crime**

“Ben is an experienced and calm advocate and a fantastic negotiator. He is very client focused and gives a lot of thought to strategy.” **Legal 500 2022: Crime**

“Very cerebral and an effective cross-examiner.” **Legal 500 2022: Police Law**

“A very smooth advocate.” **Chambers UK 2022: Professional Discipline**

“He is very good on the technical detail on the law and a very good advocate.” **Chambers UK 2021: Financial Crime**

“He is very bright, hard-working and an excellent barrister.” **Chambers UK 2021: Financial Crime**

“He combines practicality with deep insight, making him a natural choice for difficult cases.” **Legal 500 2021: Business & Regulatory Crime**

“He has a meticulous eye and is great with technical cases.” **Legal 500 2021: Fraud – Crime**

“He is very client-focused, has a calm demeanour and good judgement, and is very dedicated to ensuring he gets the best possible results in any case.” **Chambers UK 2021: Financial Crime**

“He is very bright, hard-working and an excellent barrister.” **Chambers UK 2021: Financial Crime**

“He combines practicality with deep insight, making him a natural choice for difficult cases.” **Legal 500 2021: Business & Regulatory Crime**

“He has a meticulous eye and is great with technical cases.” **Legal 500 2021: Fraud – Crime**

“Very cerebral and an effective cross-examiner.” **Legal 500 2021: Police Law**

“An extremely good choice for heavyweight white-collar fraud, he’s a superb strategist and a highly skilled forensic cross-examiner...very good technically on complex legal arguments and impressive in front of a judge.” **Chambers UK 2020: Financial Crime**

“A very smooth and rounded advocate, liked by judges and juries.” **Legal 500 2020: Business & Regulatory Crime**

“Very cerebral and an effective cross-examiner.” **Legal 500 2020: Police Law**

“He performs at silk level and has been for some time.” **Legal 500 2019: Business & Regulatory Crime**

“His background of having been a partner in a major white-collar practice means that he understands the problems that a solicitor faces and has a much better client manner than many of his peers. It is not just that he is good in conference, he really thinks strategically about the case from day one and maximises the client’s position at an early stage.” **Chambers UK 2018: Financial Crime**

“A highly competent and well-organised barrister with laudable experience of advising on bribery, fraud and regulatory issues.” **Chambers UK 2018: Financial Crime: Corporates**

“He is exceptionally solicitor and lay client friendly.” **Legal 500 2017: Police Law**

“A star of the future.” **Chambers UK 2017: Financial Crime**

“The go-to counsel for defending criminal data protection cases.” **Legal 500 2017**

“Good on the detail, and tenacious.” **Legal 500 2016: Fraud**

“A smooth and able advocate, who has a nice touch with clients.” **Legal 500 2016: Business & Regulatory Crime**

“A realistic and empathetic advocate.” **Chambers UK 2016: Financial Crime**

## Memberships

- Association of Regulatory & Disciplinary Lawyers
- CBA
- IBA
- South Eastern Circuit

## Education

- Inns of Court School of Law (1993-1994)
- LLB (Hons), University of Sussex (1990-1993)

## Publications

- Data Protection training tailored to suit, and delivered to, city law firms.
- Author of data protection content provided by Practical Law and Lexis Nexis.
- *Bribery & Corruption* Study Pack College of Law.

## Appointments

- Advocacy Trainer, Inner Temple (2017-)
- Authorised Pupil Supervisor
- Chairman of the Fraud Advisory Panel's Data Protection Sub-Committee

## Accreditations



## Privacy Statement

I, Ben Summers, am a data controller and can be contacted at 3 Raymond Buildings, Gray's Inn, London WC1R 5BH or by telephone on 020 7400 6400 or by email at [ben.summers@3rblaw.com](mailto:ben.summers@3rblaw.com). My Data Protection Policy can be found below.

All personal data that I process is for the purposes of providing legal services, conducting conflict-checks, marketing, defending potential complaints, legal proceedings or fee disputes, keeping anti-money laundering records, training other

barristers and pupils and when providing work-shadowing opportunities, and/or exercising a right to a lien. The types of data I process vary upon the nature of the legal matter in relation to which I am engaged to advise, but can include names, contact details, biographic details and 'special category personal data' (such as details of racial or ethnic origin, political opinions, religious or philosophical beliefs, health, sex life and criminal convictions and proceedings).

Depending upon the circumstances of the case, the legal bases upon which I process personal data are (i) the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract, (ii) the processing is necessary to comply with legal obligations to which I am subject, or (iii) the processing is necessary for the legitimate interests set out above, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subjects which require protection of personal data, in particular where the data subject is a child. When I rely on (iii) legitimate interests, my 'Legitimate Interests Assessment' can be found [here](#). When I process data which has not been obtained directly from the data subject (e.g. personal data contained in evidential materials), it will have been supplied to me as part of my instructions in circumstances covered by legal professional privilege.

Depending upon the circumstances of the case, I may share the personal data with:

1. my Chambers, which supplies professional and administrative support to my practice;
2. Courts and other tribunals to whom documents are presented;
3. my lay and professional clients;
4. potential witnesses, in particular experts, and friends or family of the data subject;
5. solicitors, barristers, pupils, mini pupils and other legal representatives;
6. ombudsmen and regulatory authorities;
7. current, past or prospective employers;
8. education and examining bodies;
9. business associates, professional advisers and trade bodies.

I retain personal data for no longer than 7 years after the case has come to an end or as otherwise required by law.

I do not intend to transfer data to any country which is not either within the European Union, or otherwise permitted by UK data protection legislation.

Under the UK GDPR, data subjects whose personal data I process have the right to request from me access to, and rectification or erasure of, their personal data, the right to the restriction of processing concerning them, the right to object to processing as well as the right to data portability. Data subjects also have the right to lodge a complaint with the Information Commissioner's Office ([ico.org.uk](http://ico.org.uk)).

In cases where there is a contract between me and the data subject, the provision of personal data is a contractual requirement and the data subject is obliged to provide the personal data in order that I can supply legal services. A failure to provide such data may mean that I will not be able to provide those legal services.

Rev 2.1 – 10.11.21

[Data Protection Policy](#)

[Legitimate Interests Assessment](#)

## Direct Access

Ben Summers is qualified to accept instructions direct from clients under the Bar Council's [Public Access](#) Scheme. This means that members of the public who seek specialist advice can come direct to him. In addition, he welcomes instructions from solicitors, in-house law departments, qualified foreign lawyers, and clients licensed by the Bar Council to give instructions direct to barristers under the Bar Council's [Licensed Access](#) Scheme.

For further information please contact our [Clerks](#).